

Adopted	Rejected
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COMMITTEE REPORT

YES:	27
NO:	0

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred House Bill 1423, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, line 2, delete "taxes paid:" and insert " **income tax liability**
- 2 **of a shareholder, partner, beneficiary, or member of a taxpayer**
- 3 **that is pass through entity and that incurred an expenditure:**
- 4 **(1) described in IC 6-3.1-6-2;**
- 5 **(2) under an agreement with the commissioner of the**
- 6 **department of correction;**
- 7 **(3) for an operation conducted for inmates of Rockville**
- 8 **Correctional Facility; and".**
- 9 Page 1, line 3, delete "(1)" and insert "**(4)**".
- 10 Page 1, line 4, delete "; and" and insert ".".
- 11 Page 1, delete lines 5 through 18, begin a new paragraph and insert:
- 12 **"(b) The definitions in IC 6-3.1-6-1 apply throughout this**
- 13 **SECTION.**
- 14 **(c) A shareholder, partner, beneficiary, or member of a pass**

1 through entity is entitled to a tax credit under IC 6-3.1-6 for a
 2 taxable year described in subsection (a) to the same extent as if
 3 IC 6-3.1-6-6, as added by P.L.129-2002, SECTION 6, had been in
 4 effect for that taxable year.

5 (d) Any penalties or interest assessed against a shareholder,
 6 partner, beneficiary, or member of the pass through entity solely
 7 because the pass through entity reported or because a shareholder,
 8 partner, beneficiary, or member of the pass through entity claimed
 9 a credit under IC 6-3.1-6 on a return filed for a taxable year
 10 described in subsection (a) is waived.

11 (e) If a shareholder, partner, beneficiary, or member of a pass
 12 through entity is entitled to a refund as a result of the enactment of
 13 this SECTION, the taxpayer or shareholder, partner, beneficiary,
 14 or member of a taxpayer may claim the refund under IC 6-8.1-9.
 15 The three (3) year time limitation imposed under IC 6-8.1-9-1 on
 16 filing a claim for refund does not apply to a refund claimed as a
 17 result of the enactment of this SECTION."

18 Page 2, delete lines 1 through 28.

19 Page 2, line 29, delete "(e)" and insert "(f)".

(Reference is to HB 1423 as introduced.)

and when so amended that said bill do pass.

Representative Crawford